

## IN THE HOUSE OF REPRESENTATIVES

## HOUSE BILL NO. 312

## BY APPROPRIATIONS COMMITTEE

## AN ACT

APPROPRIATING MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION/STATE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO THE LONGITUDINAL DATA SYSTEM; PROVIDING LEGISLATIVE INTENT FOR PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Superintendent of Public Instruction/State Department of Education the following amounts to be expended according to the designated expense classes from the listed funds for the period July 1, 2009, through June 30, 2010:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
FROM:					
General Fund	\$3,528,500	\$3,623,200		\$24,600	\$7,176,300
Indirect Cost Recovery					
Fund	571,400	282,300			853,700
Driver's Training Fund	157,400	151,400	\$3,800	2,113,300	2,425,900
Public Instruction Fund	618,100	825,800	4,100	11,400	1,459,400
Miscellaneous Revenue					
Fund	257,000	86,200	9,900		353,100
Federal Grant Fund	<u>3,804,100</u>	<u>18,092,900</u>	<u>9,200</u>	<u>82,200</u>	<u>21,988,400</u>
TOTAL	\$8,936,500	\$23,061,800	\$27,000	\$2,231,500	\$34,256,800

SECTION 2. In accordance with Section 67-3519, Idaho Code, the State Department of Education is authorized no more than one hundred thirty (130) full-time equivalent positions at any point during the period July 1, 2009, through June 30, 2010, for the programs specified in Section 1 of this act, unless specifically authorized by the Governor. The Joint Finance-Appropriations Committee will be notified promptly of any increased positions so authorized.

SECTION 3. It is the intent of the Legislature that the Superintendent of Public Instruction shall revert \$80,000 of fiscal year 2009 General Funds that were appropriated for the Longitudinal Data System.

1       SECTION 4. LEGISLATIVE INTENT. It is the intent of the Legislature to retain to the  
2 extent possible, our capable, quality employees who support the essential services and statuto-  
3 rily authorized programs that the citizens of Idaho expect. The Legislature finds these critical  
4 essential services to be those that maintain the health and safety of our citizens and the ed-  
5 ucation of our children. While extending flexibility to the Governor and agency directors to  
6 manage the state workforce to the best of their ability during these difficult times, it remains the  
7 responsibility of the Legislature to identify priorities for the state workforce. The Legislature  
8 finds that reductions in personnel funding shall first be managed through salary reductions that  
9 impact all personnel fairly; secondly, be mitigated by the use of existing salary savings; thirdly,  
10 by using savings created by keeping newly vacated positions unfilled; fourth, by the use of fur-  
11 loughs; and lastly, as a last resort, by reducing the workforce. It is the intent of the Legislature  
12 that these policies shall be adhered to by the executive, legislative, and judicial branches to the  
13 extent allowed by law.

14       SECTION 5. SALARY REDUCTION. Inasmuch as salary reductions will save jobs; and  
15 inasmuch as a five percent (5%) reduction in personnel funding may create a reduction in force;  
16 and inasmuch as the state as a single employer of multiple departments and agencies is required  
17 by law to direct across the board salary adjustments; agencies and institutions shall reduce all  
18 salaries of classified and nonclassified employees, regardless of fund source, by three percent  
19 (3%) for fiscal year 2010, beginning on June 14, 2009, through June 12, 2010. Agencies shall  
20 use personnel cost savings, furloughs, and a reduction in force to manage the remaining two  
21 percent (2%) in funding reductions. The Division of Human Resources shall adjust all pay  
22 schedules for the classified personnel system downward to the extent that all beginning mini-  
23 mum salaries are three percent (3%) less than those in effect upon the date of passage of this  
24 law.

25       SECTION 6. An emergency existing therefor, which emergency is hereby declared to  
26 exist, Section 5 of this act shall be in full force and effect on and after passage and approval.